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EXAMINER

MCCOMMAS, STUART S

ART UNIT	PAPER NUMBER
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2629

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/521,448	Applicant(s) KOYAMA ET AL.	
	Examiner Stuart McCommas	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 22-23 and 40-41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 22 and 40 are for a program in line 1 of each of the claims, where a program is non-statutory subject matter.

Claims 23 and 41 are for a recording medium, where a recording medium is defined as a communication medium used to transmit programs and data over a communication network in the specification in paragraph 133, where a communication medium such as a signal is non-statutory subject matter.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 11-13, and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada et al. (EP 1 158 485), hereinafter referenced as Okada, in view of Chikazawa (EP 0 883 103), hereinafter referenced as Chikazawa.

Regarding claim 1, Okada discloses a display apparatus, comprising:

a display device (3) including a display screen for displaying characters and/or graphics, wherein each of the characters and/or graphics contains a basic portion (Level 3) and a neighboring portion (Levels 1 and 2) arranged in the vicinity of the basic portion (paragraphs 103-107; paragraph 150; figures 1-4; figure 8d);

a control section (20 and 40) for controlling the display device, wherein the control section sets a luminance level of the basic portion and a luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d) and the control section controls the display device so that the character and/or graphics are displayed on the display screen using the set luminance level of the basic portion and the set luminance level of the neighboring portion (paragraph 129; paragraph 136-146; figures 1-4; figure 8d; figure 10).

However Okada fails to disclose setting a luminance level in accordance with the intensity of light for irradiating the display screen.

However the examiner maintains that it was well known in the art to provide setting a luminance level in accordance with the intensity of light for irradiating the display screen, as taught by Chikazawa.

In a similar field of invention Chikazawa discloses a control section (32, 42, and 44) setting a luminance level in accordance with the intensity of light for irradiating the display screen (column 3 lines 43-46; figures 2-4).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada with Chikazawa by specifically providing

setting a luminance level in accordance with the intensity of light for irradiating the display screen for the purpose of obtaining good contrast for an image to improve the quality of the display (column 1 lines 18-22).

Regarding claim 2, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section corrects at least one of the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 169-170; figure 8d; figure 9), and Chikazawa discloses correcting luminance levels in accordance with the intensity of light for irradiating the display screen (column 3 lines 43-58; figures 2-4).

Regarding claim 3, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section (20 and 40) sets the luminance level of the neighboring portion so that the luminance level of the neighboring portion is changed stepwise with an increase in a distance from the basic portion (paragraph 195; figures 1-4; figure 25c).

Regarding claim 4, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance level of the basic portion and the luminance level of the neighboring portion based on luminance levels of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 5, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the display screen contains a plurality of pixels; each of the plurality of pixels contains a plurality of sub pixels; and each of the

plurality of sub pixels is associated with one of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 6, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the basic portion and the neighboring portion are assigned the plurality of sub pixels (paragraphs 95-96; figures 1-4).

Regarding claim 7, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d), and Chikazawa discloses a light irradiation section (16) for irradiating the display screen with light (figures 1-4) and that the control section sets the luminance level in accordance with the intensity of light to be emitted from the light irradiation section to the display screen (column 2 lines 44-49; column 3 lines 17-58; figures 2-4).

Regarding claim 8, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d), and Chikazawa discloses a light irradiation section (16) for irradiating the display screen with light (figures 1-4) and that the control section (22, 32, 42, 34) sets the luminance level in accordance with the on or off state of the light irradiation section (column 2 lines 37-49; figures 2-4).

Regarding claim 9, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance

level of the basic portion and the luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d), and Chikiazawa discloses that the control section (22, 32, 42, 34) sets the luminance level in accordance with an irradiation level indicating the intensity of light to be emitted from the light irradiation section to the display screen (column 2 lines 37-49; figures 2-4).

Regarding claim 11, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses a memory section (5b) for storing a plurality of correction pattern tables indicating the luminance level of the basic portion and the luminance level of the neighboring portion (figures 8A-8D), wherein the control section selects one of the plurality of correction pattern tables, and sets the luminance level of the basic portion and the luminance level of the neighboring portion in accordance with the selected correction pattern table (paragraphs 104-110; paragraphs 143-146; figures 1-7; figure 8d), and Chikazawa discloses a plurality of correction pattern tables and that the control section (22, 32, 42, 34) sets the luminance level in accordance with the intensity of light for irradiating the display screen (column 2 lines 37-49; column 3 lines 17-58; figures 2-4).

Regarding claim 12, Okada and Chikazawa, the combination discloses everything as applied above, further Chikazawa discloses that the plurality of correction pattern tables are dependent on the intensity of light for irradiating the display screen (column 3 lines 17-58; figures 2-4).

Regarding claim 13, Okada and Chikazawa, the combination discloses everything as applied above, further Chikazawa discloses an input section for setting

the intensity of light to be emitted from the light irradiation section (column 2 lines 19-58; figures 1-4).

Regarding claim 16, Okada discloses a display control method for displaying characters and/or graphics on a display screen, wherein each of the characters and/or graphics contains a basic portion and a neighboring portion arranged in the vicinity of the basic portion, the method comprising the steps of:

setting a luminance level of the basic portion and a luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d);

displaying the character and/or graphics on the display screen using the set luminance level of the basic portion and the set luminance level of the neighboring portion (paragraph 129; paragraph 136-146; figures 1-4; figure 8d; figure 10).

However Okada fails to disclose setting a luminance level in accordance with the intensity of light for irradiating the display screen.

However the examiner maintains that it was well known in the art to provide setting a luminance level in accordance with the intensity of light for irradiating the display screen, as taught by Chikazawa.

In a similar field of invention Chikazawa discloses a control section (32, 42, and 44) setting a luminance level in accordance with the intensity of light for irradiating the display screen (column 3 lines 43-46; figures 2-4).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada with Chikazawa by specifically providing

setting a luminance level in accordance with the intensity of light for irradiating the display screen for the purpose of obtaining good contrast for an image to improve the quality of the display (column 1 lines 18-22).

Regarding claim 17, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section corrects at least one of the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 169-170; figure 8d; figure 9), and Chikazawa discloses correcting luminance levels in accordance with the intensity of light for irradiating the display screen (column 3 lines 43-58; figures 2-4).

Regarding claim 18, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section (20 and 40) sets the luminance level of the neighboring portion so that the luminance level of the neighboring portion is changed stepwise with an increase in a distance from the basic portion (paragraph 195; figures 1-4; figure 25c).

Regarding claim 19, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance level of the basic portion and the luminance level of the neighboring portion based on luminance levels of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 20, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the display screen contains a plurality of pixels; each of the plurality of pixels contains a plurality of sub pixels; and

each of the plurality of sub pixels is associated with one of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 21, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d), and Chikazawa discloses setting the intensity of light to be emitted from a light irradiation section (16) for irradiating the display screen (figures 1-4) and that the control section sets the luminance level in accordance with the set intensity of light to be emitted from the light irradiation section to the display screen (column 2 lines 44-49; column 3 lines 17-58; figures 2-4).

Regarding claim 22, Okada and Chikazawa, the combination discloses everything as applied above. In addition, claim 22 is interpreted and thus rejected for the reasons set forth above in the rejection of claim 16. Claim 16 describes a method and claim 22 describes a program for implementing the method. Thus claim 22 is rejected.

Regarding claim 23, Okada and Chikazawa, the combination discloses everything as applied above. In addition, claim 23 is interpreted and thus rejected for the reasons set forth above in the rejection of claim 16. Claim 16 describes a method and claim 22 describes a recording medium with a program for implementing the method. Thus claim 23 is rejected.

5. Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada, in view of Chikazawa and further in view of Izumi et al. (EP 0 907 158), hereinafter referenced as Izumi.

Regarding claim 10, Okada and Chikazawa, the combination discloses everything as applied above, further Okada discloses that the control unit sets the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d), and Chikazawa discloses a light irradiation section for irradiating the display screen with light (column 2 lines 29-36).

However the combination fails to disclose that the display device includes a display medium and a reflection section, and that the light irradiation section is disposed at a rear of the display medium and that the control section switches between a transmission mode in which light to be emitted from the light irradiation section is transmitted through the display medium when the light irradiation section is on, and a reflection mode in which light incident from a front of the display medium and transmitted through the display medium is reflected by the reflection section when the light irradiation section is off and that the control section sets the luminance level in accordance with the transmission mode or the reflection mode.

However the examiner maintains that it was well known in the art to provide a display medium and a reflection section, and that the light irradiation section is disposed at a rear of the display medium and that the control section switches between a transmission mode in which light to be emitted from the light irradiation section is transmitted through the display medium when the light irradiation section is on, and a

reflection mode in which light incident from a front of the display medium and transmitted through the display medium is reflected by the reflection section when the light irradiation section is off and that the control section sets the luminance level in accordance with the transmission mode or the reflection mode, as taught by Izumi.

In a similar field of invention Izumi discloses a display medium (2) and a reflection section (paragraph 43; figure 2), and that the light irradiation section (3) is disposed at a rear of the display medium and that the control section switches between a transmission mode (figure 5) in which light to be emitted from the light irradiation section is transmitted through the display medium when the light irradiation section is on, and a reflection mode in which light incident from a front of the display medium and transmitted through the display medium is reflected by the reflection section when the light irradiation section is off (paragraphs 18-21; paragraph 27; paragraphs 87-92; figure 5; figures 6A-6D; figure 7), and that the control section sets the luminance level in accordance with the transmission mode or the reflection mode (paragraph 118; figure 5).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada and Chikazawa with Izumi by specifically providing a display medium and a reflection section, and that the light irradiation section is disposed at a rear of the display medium and that the control section switches between a transmission mode in which light to be emitted from the light irradiation section is transmitted through the display medium when the light irradiation section is on, and a reflection mode in which light incident from a front of the display medium and

transmitted through the display medium is reflected by the reflection section when the light irradiation section is off and that the control section sets the luminance level in accordance with the transmission mode or the reflection mode for the purpose of controlling a backlight to reduce power consumption and improve image quality in a display used in varying lighting conditions (paragraph 15).

6. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada, in view of Chikazawa and further in view of Borsuk (United States Patent 5,475,399), hereinafter referenced as Borsuk.

Regarding claim 14, Okada and Chikazawa, the combination discloses everything as applied above, however the combination fails to disclose an input section for inputting information related to a viewer viewing the display device.

However the examiner maintains that it was well known in the art to provide an input section for inputting information related to a viewer viewing the display device, as taught by Borsuk.

In a similar field of invention Borsuk discloses an input section (button 24) for inputting information related to a viewer viewing the display device (column 3 lines 63-65; figure 1).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada and Chikazawa with Borsuk by specifically providing an input section for inputting information related to a viewer viewing the

display device for the purpose of allowing a viewer to adjust the character size according to vision ability (column 1 lines 9-18).

Regarding claim 15, Okada, Chikazawa and Borsuk, the combination discloses everything as applied above, further Borsuk discloses that the viewer-related information includes at least one of information related to the viewer's age, information related to the viewer's eye condition, and information related to the viewer's preference for the font size (column 3 lines 63-65; figure 1).

7. Claims 24-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Borsuk.

Regarding claim 24, Okada discloses a display apparatus, comprising:

a display device (3) including a display screen for displaying characters and/or graphics, wherein each of the characters and/or graphics contains a basic portion (Level 3) and a neighboring portion (Levels 1 and 2) arranged in the vicinity of the basic portion (paragraphs 103-107; paragraph 150; figures 1-4; figure 8d);

a control section (20 and 40) for controlling the display device, wherein the control section sets a luminance level of the basic portion and a luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d) and the control section controls the display device so that the character and/or graphics are displayed on the display screen using the set luminance level of the basic portion and the set luminance level of the neighboring portion (paragraph 129; paragraph 136-146; figures 1-4; figure 8d; figure 10).

However Okada fails to disclose in accordance with information related to a viewer of the display device.

However the examiner maintains that it was well known in the art to provide modifying a display in accordance with information related to a viewer of the display device, as taught by Borsuk.

In a similar field of invention Borsuk discloses modifying a characteristic of a display in accordance with information related to a viewer of the display device (column 3 lines 56-65; column 8 lines 1-3; figures 1-2).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada with Borsuk by specifically providing in accordance with information related to a viewer of the display device for the purpose of allowing a display to be customizable for users with different eyesight levels (column 1 lines 18-22).

Regarding claim 25, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the control section corrects at least one of the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 169-170; figure 8d; figure 9), and Borsuk discloses modifying a characteristic of a display in accordance with information related to a viewer of the display device (column 3 lines 56-65; column 8 lines 1-3; figures 1-2).

Regarding claim 26, Okada, and Borsuk, the combination discloses everything as applied above, further Borsuk discloses that the viewer-related information includes at

least one of information related to the viewer's age, information related to the viewer's eye condition, and information related to the viewer's preference for the font size (column 3 lines 63-65; figure 1).

Regarding claim 27, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the control section (20 and 40) sets the luminance level of the neighboring portion so that the luminance level of the neighboring portion is changed stepwise with an increase in a distance from the basic portion (paragraph 195; figures 1-4; figure 25c).

Regarding claim 28, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance level of the basic portion and the luminance level of the neighboring portion based on luminance levels of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 29, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the display screen contains a plurality of pixels; each of the plurality of pixels contains a plurality of sub pixels; and each of the plurality of sub pixels is associated with one of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 30, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the basic portion and the neighboring portion are assigned the plurality of sub pixels (paragraphs 95-96; figures 1-4).

Regarding claim 31, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses a memory section (5b) for storing a plurality of correction pattern tables indicating the luminance level of the basic portion and the luminance level of the neighboring portion (figures 8A-8D), wherein the control section selects one of the plurality of correction pattern tables, and sets the luminance level of the basic portion and the luminance level of the neighboring portion in accordance with the selected correction pattern table (paragraphs 104-110; paragraphs 143-146; figures 1-7; figure 8d), and Borsuk discloses modifying a characteristic of a display in accordance with information related to a viewer of the display device (column 3 lines 56-65; column 8 lines 1-3; figures 1-2).

Regarding claim 32, Okada and Borsuk, the combination discloses everything as applied above, further Borsuk discloses an input section (button 24) for inputting information related to a viewer viewing the display device (column 3 lines 63-65; figure 1).

Regarding claim 33, Okada discloses a display control method for displaying characters and/or graphics on a display screen, wherein each of the characters and/or graphics contains a basic portion and a neighboring portion arranged in the vicinity of the basic portion, the method comprising the steps of:

setting a luminance level of the basic portion and a luminance level of the neighboring portion (paragraphs 120-129; figures 1-4; figure 8d);

displaying the character and/or graphics on the display screen using the set luminance level of the basic portion and the set luminance level of the neighboring portion (paragraph 129; paragraph 136-146; figures 1-4; figure 8d; figure 10).

However Okada fails to disclose in accordance with information related to a viewer of the display device.

However the examiner maintains that it was well known in the art to provide modifying a display in accordance with information related to a viewer of the display device, as taught by Borsuk.

In a similar field of invention Borsuk discloses modifying a characteristic of a display in accordance with information related to a viewer of the display device (column 3 lines 56-65; column 8 lines 1-3; figures 1-2).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada with Borsuk by specifically providing in accordance with information related to a viewer of the display device for the purpose of allowing a display to be customizable for users with different eyesight levels (column 1 lines 18-22).

Regarding claim 34, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the control section corrects at least one of the luminance level of the basic portion and the luminance level of the neighboring portion (paragraphs 169-170; figure 8d; figure 9), and Borsuk discloses modifying a

characteristic of a display in accordance with information related to a viewer of the display device (column 3 lines 56-65; column 8 lines 1-3; figures 1-2).

Regarding claim 35, Okada, and Borsuk, the combination discloses everything as applied above, further Borsuk discloses that the viewer-related information includes at least one of information related to the viewer's age, information related to the viewer's eye condition, and information related to the viewer's preference for the font size (column 3 lines 63-65; figure 1).

Regarding claim 36, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the control section (20 and 40) sets the luminance level of the neighboring portion so that the luminance level of the neighboring portion is changed stepwise with an increase in a distance from the basic portion (paragraph 195; figures 1-4; figure 25c).

Regarding claim 37, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the control section sets the luminance level of the basic portion and the luminance level of the neighboring portion based on luminance levels of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 38, Okada and Borsuk, the combination discloses everything as applied above, further Okada discloses that the display screen contains a plurality of pixels; each of the plurality of pixels contains a plurality of sub pixels; and each of the plurality of sub pixels is associated with one of a plurality of color elements (paragraphs 95-96; figures 1-7; figure 13B).

Regarding claim 39, Okada and Borsuk, the combination discloses everything as applied above, further Borsuk discloses inputting the viewer-related information (column 3 lines 63-65; figure 1).

Regarding claim 40, Okada and Borsuk, the combination discloses everything as applied above. In addition, claim 40 is interpreted and thus rejected for the reasons set forth above in the rejection of claim 33. Claim 33 describes a method and claim 40 describes a program for implementing the method. Thus claim 40 is rejected.

Regarding claim 41, Okada and Borsuk, the combination discloses everything as applied above. In addition, claim 41 is interpreted and thus rejected for the reasons set forth above in the rejection of claim 33. Claim 33 describes a method and claim 41 describes a recording medium with a program for implementing the method. Thus claim 41 is rejected.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stuart McCommas whose telephone number is (571)270-3568. The examiner can normally be reached on Monday-Friday 9 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on (571)272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Stuart McCommas
Patent Examiner
Art Unit 2629

SSM

/Alexander Eisen/
Supervisory Patent Examiner, Art Unit 2629